

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 APR 18 PM 3:42

UNITED STATES OF AMERICA

v.

HECTOR MARIN-BERRERA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

916

DEPUTY

Case Number: 08CR0436-JM

KRIS KRAUS, FED DEF INC.,

Defendant's Attorney

FILED

JUN 10 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

REGISTRATION NO. 06993298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE OF THE INFORMATION.

☐ was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section

18 USC 1001

Nature of Offense

FALSE STATEMENT TO A FEDERAL OFFICER

Count
Number(s)

1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☐ Count(s) _____

is ☐ are ☐ dismissed on the motion of the United States.

☒ Assessment: \$100

☒ Fine waived

☐ Property forfeited pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

APRIL 11, 2008

Date of Imposition of Sentence

[Signature]
HON. JEFFREY T. MILLER
UNITED STATES DISTRICT JUDGE

Entered Date:

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Sheet 2 — Imprisonment

Judgment — Page 2 of 4

DEFENDANT: HECTOR MARIN-BERRERA
CASE NUMBER: 08CR0436-JM

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of
TEN (10) MONTHS.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
- PLACEMENT OUTSIDE THE STATE OF CALIFORNIA.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on 5-30-08 to Cibola
at Milan, with a certified copy of this judgment.

R. R. Rushing, Warden
UNITED STATES MARSHAL
By Pamela Plaster, Records
DEPUTY UNITED STATES MARSHAL

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Sheet 3 — Continued 2 — Supervised Release

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DEFENDANT: HECTOR MARIN-BERRERA
CASE NUMBER: 08CR0436-JM

SPECIAL CONDITIONS OF SUPERVISION

- ☐ Not possess any firearm, explosive device or other dangerous weapon.
- ☐ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ The defendant shall violate no laws, federal, state and local, minor traffic excepted.
- ☒ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate knowingly with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter or reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Defendant should not be subject to involuntary treatment, or the taking of any medication. Rather in the absence of defendant's consent to treatment or medication, the court shall determine the reasonableness or necessity of any proposed treatment or medication at issue.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the probation officer for a period of _____
- ☐ Reside in a Community Corrections Center (CCC) as directed by the Bureau of Prisons for a period of _____ commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of _____, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ Comply with the conditions of the Home Confinement Program for a period of _____ months and _____, remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

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